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MAILED #5  
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Office of Director  
Technology Center 1600

In re Application of  
Edward L. Tobinick  
Serial No.: 09/665,529  
Filed: September 19, 2000  
Attorney Docket No.: 3.0-009

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: PETITION TO MAKE SPECIAL  
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This is in response to applicants' petition filed September 19, 2000, to make the above-identified application special under the provisions of 37 CFR 1.102(d).

Applicant has satisfied the provisions set forth in M.P.E.P. 708.02, VIII. Therefor the petition is **GRANTED**.

**The following condition applies to the grant of this petition: If, upon examination, it is determined that a restriction requirement is necessary because of multiple inventions being claimed, applicant will be required to make an election without traverse of a single invention to be prosecuted. Failure to make an election without traverse will void the special status accorded in this decision. The provisional election of claims 30-49 and 98-99 is noted.**

**The application will be forwarded to the examiner for action on the merits commensurate with this decision.**

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-3599.

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